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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

PABLO JOSE MENDOZA,

Defendant.

No. CR 10-00301-011 BLF

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING SENTENCE
REDUCTION UNDER U.S.S.G. § 1B1.1(b)
AND AMENDMENT 782**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties acting
through their respective counsel, that:

1. Defendant is making an unopposed motion for modification of his sentence pursuant to 18 U.S.C. § 3582(c)(2).
2. Defendant's original guideline calculation was as follows:
Total Offense Level: 31
Criminal History Category: II
Guideline Range: 121 to 151 months

1 Mandatory Minimum: 120 months

2 3. Defendant was sentenced to 132 months imprisonment on June 28, 2011.

3 4. According to the Bureau of Prisons, Defendant's current projected release date is
4 January 26, 2021.

5 5. Effective November 1, 2014, this Court may order a modification in defendant's sentence
6 pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10(b)(1), and Amendment 782, to the
7 United States Sentencing Guidelines Manual.

8 6. Defendant's revised guideline calculation is as follows:

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10 Total Offense Level: 29

11 Criminal History Category: II

12 Guideline Range: 97 to 121 months

13 Mandatory Minimum: 120 months

14 7. The parties have no reason to dispute the Sentence Reduction Investigation Report
15 submitted to the Court by the Probation Office.

16 8. Based upon the foregoing, the parties hereby stipulate that the Court may enter an order
17 **reducing Defendant's total term of custody to 120 months**, effective November 1,
18 2015.

19 9. The parties further stipulate that all other aspects of the original judgment order including
20 the length of term of supervised release, all conditions of supervision, fines, restitution,
21 and special assessment remain as previously imposed.

22 10. Defendant stipulates that he waives and does not request a hearing in this matter pursuant
23 to Fed. R. Crim. P. 43, 18 U.S.C. § 3582(c)(2), and *United States v. Booker*, 543 U.S. 220
24 (2005).

25 11. Defendant waives his right to appeal the district court's sentence.
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12. Accordingly, the parties agree that an amended judgment in accordance with this stipulation may be entered by the Court in pursuant to 18 U.S.C. § 3582(c) and USSG § 1B1.10(b)(1), Amendment 782 of the Sentencing Guidelines Manual. A Sentencing Reduction Investigation Report and a proposed amended judgment will be submitted to the Court.

IT IS SO STIPULATED.

July 6, 2015

/s/

DATED

MELINDA L. HAAG
United States Attorney
J. DOUGLAS WILSON
Assistant United States Attorney
Northern District of California

July 6, 2015

/s/


DATED

STEVEN G. KALAR
Federal Public Defender
SHILPI AGARWAL
Assistant Federal Public Defender
Northern District of California

IT IS SO ORDERED.



DATED


Beth Labson Freeman
United States District Judge